

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DESMOND RICKS, ET AL.,

Plaintiffs,

No. 17-12784

v.

District Judge Paul D. Borman
Magistrate Judge R. Steven Whalen

DAVID PAUCH, ET AL.,

Defendants.

ORDER

For the reasons and under the terms stated on the record on September 18, 2018, Defendants' Motion for Protective Order Against Plaintiffs' Request for Production [Doc. #48] is **CONDITIONALLY DENIED**, conditioned on the District Judge extending discovery.

If discovery is extended, Defendants will produce for inspection the physical evidence itemized on Lab Reports FO3-0312A and B, regarding the Lem Grove homicide case, as well as documents, photographs, and/or notes prepared by David Pauch in connection with his examination of this evidence. The inspection of the physical evidence will be done according to the same protocols that governed the Plaintiff's inspection of the bullets and the firearm in the present case.

If discovery is not extended, the Defendants' motion for protective order will be granted.

IT IS SO ORDERED.

Dated: September 18, 2018

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE
JUDGE

CERTIFICATE OF SERVICE

I hereby certify on September 18, 2018 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on September 18, 2018.

s/Carolyn M. Ciesla
Case Manager for the
Honorable R. Steven Whalen